

REMARKS

Claims 29-54 and 58-82 are presently pending. As discussed below, as part of Applicants' election of species, claims 29-31, 38-40, 48-51 and 64-66 are currently withdrawn, leaving claims 32-37, 41-47, 52-54, 58-63, 67-82 for examination.

Election of Species

In Section 4 of the Office Action, it is asserted that this application contains claims directed to the following patentably distinct species of the claimed invention: (A) Figures 5A-C; (B) Figures 6A-D; and (C) Figures 7A-E. It is further asserted that Applicants are required under 35 U.S.C. 121 to elect a single distinct disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Office Action further indicates that claim 47 appears to be generic. Claim 47 is reproduced below for the convenience of the Examiner.

47. A method for cleaning a wire-like electrode in an electro-kinetic transporter-conditioner of the type having a housing in which are disposed a first electrode, and a second electrode, removably disposed in said housing, having a base member, and a source of high voltage coupled between said first electrode and said second electrode; the method including the following steps:
disposing within said housing a mechanism to frictionally clean said first electrode when at least one of the following actions occurs:
said base member of said second electrode is moved; or
said transporter-conditioner is turned upside down and rightside up.

The portion of claim 47 specifying "said base member of said second electrode is moved" is directed to the species (A) and (B), as labeled in the Office Action, but is not limited to the exact configurations shown and discussed with reference to Figures 5A-C and 6A-D. The portion of claim 47 specifying "said transporter-conditioner is turned upside down and rightside up" is directed to the species

(C), as labeled in the Office action, but is not limited to the exact configurations shown and discussed with reference to Figures 7A-E.

Applicants are presently electing for prosecution the species labeled (C). Applicants believe that claims 32-37, 41-46, 47 (being labeled as generic), 52-54, 58-63 and 71-82 fall within this election, and thus Applicants request Examination of these claims. The remaining claims 29-31, 38-40, 48-51 and 64-66 are presently withdrawn from consideration with prejudice or disclaimer to later re-instating these claims in this application or re-presenting these claims in a continuing application.

Information Disclosure Statements (IDSs)

Applicants thank the Examiner for indicating consideration of the references listed in the Form 1449s submitted with the original IDS mailed January 16, 2002, and with the Second Supplemental IDS mailed December 27, 2002.

Applicants also submitted a (first) Supplemental IDS on October 8, 2002. However, the Examiner did not indicate consideration of the references listed on the accompanying Form 1449s. Accordingly, Applicants are re-submitting the Supplemental IDS of October 8, 2002, along with the date-stamped post card indicating that the USPTO received the Supplemental IDS on October 15, 2002. Applicants respectfully request consideration of the references listed in the Supplemental IDS.

Additionally, Applicants are currently submitting a Third Supplemental IDS. Applicants respectfully request consideration of the references listed in the Third Supplemental IDS.

CONCLUSION

The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting prosecution of this application.

The Commissioner is authorized, in the Amendment Transmittal Letter submitted herewith, to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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By: Jeffrey R. Kurin
Jeffrey R. Kurin
Reg. No. 41,132

FLIESLER DUBB MEYER & LOVEJOY LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
(415) 362-3800 Telephone
(415) 362-2928 Facsimile